

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

TIA LATAUSHA HOWARD,

Petitioner,

v.

CIVIL ACTION NO. 1:17-03523

DAVID WILSON, Warden

Respondent.

MEMORANDUM OPINION AND ORDER

By Standing Order, this action was referred to United States Magistrate Judge Dwane L. Tinsley for submission of findings and recommendation regarding disposition pursuant to 28 U.S.C. § 636(b)(1)(B). Magistrate Judge Tinsley submitted to the court his Findings and Recommendation on May 6, 2019, in which he recommended that the court deny as moot petitioner's Petition for a Writ of Habeas Corpus, ECF No. 1, and remove this matter from the court's docket.

In accordance with the provisions of 28 U.S.C. § 636(b), petitioner was allotted fourteen days and three mailing days in which to file any objections to Magistrate Judge Tinsley's Findings and Recommendation. The failure of any party to file such objections within the time allowed constitutes a waiver of such party's right to a de novo review by this court. Snyder v. Ridenour, 889 F.2d 1363 (4th Cir. 1989).

Objections to the Proposed Findings and Recommendation were due by May 23, 2019. Neither party filed any objections to the Magistrate Judge's Findings and Recommendation within the requisite time period.

Accordingly, the court adopts the Findings and Recommendation of Magistrate Judge Tinsley as follows:

1. Petitioner's Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 is **DENIED AS MOOT**;
2. The case is **DISMISSED**; and
3. The Clerk is directed to remove this case from the court's active docket.

The Clerk is further directed to forward a copy of this Memorandum Opinion and Order to counsel of record and unrepresented parties.

IT IS SO ORDERED this 19th day of December, 2019.

ENTER:

A handwritten signature in black ink, reading "David A. Faber", is written over a horizontal line.

David A. Faber
Senior United States District Judge